

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ROBBIE EMERY BURKE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 11-CV-720-JED-PJC
)	
STANLEY GLANZ, et al.,)	
)	
Defendants.)	

ORDER

Before the Court is the Plaintiff's Motion for Protective Order. [Dkt. No. 130]. Plaintiff Robbie Emery Burke, as the Special Administratrix of the estate of Elliott Earl Williams, seeks a Protective Order prohibiting the Defendants from obtaining discovery from non-party Elia Williams concerning her immigration status. [*Id.*, at 1].

Applicable Legal Principles

Courts have broad discretion to enter or deny protective orders. *See Seattle Times Co. v. Rhinehart*, 467 U.S. 20, 36 (1984). The party seeking a protective order must establish good cause for issuance of the order. "Good cause" includes protection from "annoyance, embarrassment, oppression, or undue burden or expense." Fed. R. Civ. P. 26(c)(1).

A motion for protective order may be filed by any party or by the person from whom discovery is sought. Fed. R. Civ. P. 26(c)(1). However, a party has

no standing to quash a subpoena served upon a third party unless the party claims a personal right or privilege with respect to the requested information.

Howard v. Segway Inc., 2012 WL 2923230, *2 (N.D.Okla. July 18, 2012);


Washington v. Thurgood Marshall Academy, 230 F.R.D. 18 (D.D.C. 2005).

Discussion

Plaintiff seeks a protective order, claiming that information regarding Elia Williams' immigration status is irrelevant and would only serve to harass and intimidate Ms. Williams. Plaintiff lacks standing to seek protection on these grounds. Ms. Williams has the right to seek protection, but has not done so. Plaintiff is not seeking to protect her own personal interest or privilege, but to assert Williams' rights regarding discovery. This is not permissible under Rule 26.

ACCORDINGLY, the Motion for Protective Order is **DENIED**.

IT IS SO ORDERED this 22nd day of July 2013.



Paul J. Cleary
United States Magistrate Judge